

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

THOMAS ANTONIO REDDING,

Movant,

v.

CRIMINAL ACTION NO. 3:09-00099-03

UNITED STATES OF AMERICA,

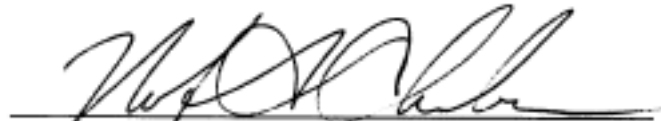
Respondent.

**MEMORANDUM OPINION AND ORDER**

Pending before the Court is Defendant Thomas Antonio Redding’s “Motion for Home Confinement and/or Probation due to COVID-19 Danger.” ECF No. 535. The Court construes Defendant’s motion as a request for compassionate release under 18 U.S.C. § 3582. Defendant points to the spread of the novel coronavirus in prisons and his asthma as grounds for release. While the Court is sympathetic to Defendant’s concerns regarding the coronavirus, the mere possibility of contracting the illness is not a sufficiently “extraordinary and compelling” reason to justify a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A)(i). *See, e.g., United States v. Feiling*, No. 3:19cr112 (DJN), 2020 WL 1821457, at \*7 (E.D. Va. Apr. 10, 2020) (reasoning that “the *fear* of contracting a communicable disease proves insufficient to justify a sentence modification”) (internal quotations omitted) (emphasis in original). Even if this were not the case, the Court has no authority to reduce Defendant’s sentence where—as here—he has not demonstrated that he “has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion” or that thirty days have lapsed “from the receipt of such a request by the warden of the defendant’s facility.” 18 U.S.C. § 3582(c)(1)(A).

The Court accordingly **DENIES** the Motion (ECF No. 535) and **DIRECTS** the Clerk to send a copy of this Order to counsel of record, Defendant, the United States Attorney's Office, the United States Probation Office, and the United States Marshals Service.

ENTER:        October 26, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE